



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/655,143

09/04/2003

Beverly A. Rzigalinski

UCF-375

6531

23717 7590 11/07/2008
LAW OFFICES OF BRIAN S STEINBERGER
101 BREVARD AVENUE
COCOA, FL 32922

EXAMINER

CARTER, KENDRA D

ART UNIT

PAPER NUMBER

1617

MAIL DATE

DELIVERY MODE

11/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 1617

For purposes of appeal, the proposed amendments will be entered, but do not place the application in condition for allowance because of the reasons below. The 35 USC 112, first paragraph rejection is withdrawn, but the claims are not free from objections and possible further rejections in light of the amendments.

Upon amendments to the claims, claims 27 and 29 now read on complete *in vitro* application, and claims 32 and 33 now read on complete *in vivo* application. The Figure to support the claims (Figure 7) is unclear either due to the figure being in black and white, or a failure to completely describe the figure in the specification. Particularly, figure 7 has a dotted bar represented in uninjured, moderate injury and severe injury. The key does not indicate what the dotted bar represents. The Examiner can only assume that the dotted bar is the control from the description of the results on page 8, lines 1-11. The Examiner would like to note that the description on page 8, lines 1-11 does not clearly indicate which bar is the control, or what the asterisks mean after 8 days prior, 48 hours prior and post injury on the figure. The Examiner suggests submitting colored figures or/and amendment to the specification without adding new matter.